

Notice of Allowability

Application No.

10/655,144

Applicant(s)

SATOH ET AL.

Examiner

Art Unit

Theresa Trieu

3748

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on November 19, 2004.
2. ☒ The allowed claim(s) is/are 19.
3. ☒ The drawings filed on 11/19/2004 & 09/04/2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/241,166.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Theresa Trieu
Primary Examiner
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EXAMINER'S AMENDMENT

This Office Action is responsive to the applicants' amendment filed on November 19, 2004.

Claim 19 has been amended. Claims 1-13 have been canceled. Claims 14-18 have been withdrawn. Overall, claim 19 is pending in this application.

Applicants' cooperation in correcting the informalities in the drawing and specification are appreciated. Applicants' cooperation in amending the claim to overcome the rejections under 35 U.S.C. 112, second paragraph is also appreciated.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Timothy J. Zarley (Reg. No. 45,253) on February 3, 2005. During telephone conversation with Mr. Zarley, an agreement was reached to cancel claims 14-18 drawn to a non-elected species and to amend Claim 19. Accordingly, claims 1-18 have been cancelled as per applicants' request. The application has been amended as follows:

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claim 19: (Currently Amended):

A scroll- type fluid machine comprising:

a stationary scroll comprising a stationary end plate which has a stationary wrap which axially extends;

an orbiting scroll having an orbiting wrap which is engaged with said stationary wrap, air being pressurized by revolving said orbiting scroll with respect to the stationary scroll eccentrically; and

a cooler including ~~first and second cooling paths, said first cooling path~~ an intermediate cooling portion having first cooling paths and a rear cooling portion having second cooling paths, wherein in a middle cooling path of said first cooling paths of said intermediate cooling portion having a low-pressure discharge bore which communicates with a low pressure outlet of the stationary scroll, and having a high-pressure intake bore which communicates with a high-pressure inlet of the stationary scroll; ~~said second cooling path~~ wherein at the end of the highest shorter cooling path of said second cooling paths at the rear cooling portion having a high-pressure discharge bore which communicates with a high-pressure outlet of the stationary scroll, and having a cooling discharge bore, air pressurized by a low-pressure pressurizing portion flowing into said middle cooling path of said ~~the first cooling~~ paths via the low-pressure discharge bore and cooled to flow into a high-pressure pressurizing portion via the high-pressure intake bore, said air pressurized in the high-pressure ~~intake bore~~ pressurizing portion of the stationary scroll flowing in the second cooling paths of said rear cooling portion via the high-pressure discharge bore at the end of said highest shorter cooling path of said second cooling paths and cooled to discharge an air tank via the cooling discharge bore.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: the prior art fails to disclose or render obvious the claimed combination including: a cooler including an intermediate cooling portion and a rear cooling portion; air pressurized by a low-pressure pressurizing portion flowing into said middle cooling path of said first cooling paths of the intermediate cooling portion via the low-pressure discharge bore which communicates with a

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low pressure outlet of the stationary scroll and cooled to flow into a high-pressure pressurizing portion via the high-pressure intake bore which communicates with a high-pressure inlet of the stationary scroll; and the air pressurized in the high-pressure pressurizing portion of the stationary scroll flowing in the second cooling paths of said rear cooling portion via the high-pressure discharge bore at the end of said highest shorter cooling path of said second cooling paths and cooled to discharge an air tank via the cooling discharge bore.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa Trieu whose telephone number is 571-272-4868. The examiner can normally be reached on Monday-Friday 8:30am- 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E Denion can be reached on 571-272-4859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Theresa Trieu
Primary Examiner
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